


# The voices and protests of China's labour NGOs and their effort to promote migrant worker rights

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**The Voices and Protests of China's  
Labour NGOs  
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Worker Rights  
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**Abstract**

Labour NGOs in China are relatively new organizations that emerged in the 1990s and have spread during the 2000s. Migrant workers in China are weak both socially and economically and have been lacking ways of voicing grievances and protesting. Grassroots labour NGOs for migrant workers seem to be an efficient channel for their voices.

This paper examines how labour NGOs emerged and how they function in the context of current Chinese society. This paper adopts the case study method to describe three NGOs in Beijing and Shenzhen. The paper shows that these NGOs are using different methods to resolve migrant worker problems. At the same time, they are voicing the migrants' grievances and protesting in their own ways.

**Keywords:** China, migrant worker, labour NGOs

**JEL classification:** J46, J83, Z13

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## **Introduction: Defining the issues and methodology**

Labour NGOs in China are relatively new organizations that emerged in the 1990s and have spread in the 2000s. In Chinese they are called “Nongmingong” (migrant labour) NGOs. They are non-governmental, non-profit civil organizations that work in several different fields, but they all support migrant workers. Nongmingong, the domestic migrant workers from rural areas who work in urban-area industries, are the mainstream Labour force contributing to China’s economic growth. At the same time they are forced into an informal existence in the cities. Their informal status has kept them weak socially and economically, and for over two decades they have been silent workers labouring hard without voicing grievances.

This of course was not because these workers had no grievances. Rather, they had in their own words “a stomach full of words, but just can’t say them”<sup>1</sup> (Fu 2009, 527). That meant that once they had a chance or an effective channel, they would likely express themselves. The migration of labor from rural to urban areas began in the 1980s, but for a long time these workers had no channel for voicing grievances, until the emergence of labour NGOs. The author argues that the emerging labour NGOs are an effective channel for the socially and economically weak migrant workers to express their grievances and make their protests known to society. Furthermore, the labour NGOs function as labour protection consultants dealing with labor rights abuses.

In order to determine how labour NGOs emerged, and their function within the

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<sup>1</sup> According to Fu (2007), “I have a stomach full of words, but I just can’t say them” is a statement often uttered by migrant women in contemporary China. Fu explores the migrant workers are not just don’t know what to talk, and just because they don’t know how they express themselves in the “sophisticated” city side culture.

context of current Chinese society, this paper examines three NGOs. One is in Beijing, the capital and one of the centers of labour NGOs; other two are in Shenzhen, Guangdong, another important center for China's labour NGOs. As will be shown below, labour NGOs fall into two categories: those founded by urban intellectuals and those by migrant workers. In this paper, the author focuses on the latter, as they more typically reflect the voice and protest functions of labour NGOs.

The author visited 12 labour NGOs located in Beijing and in Shenzhen, Guangzhou several times in 2009 and 2010. Along with this fieldwork, the author also examined other sources of information, such as NGO leaflets and websites, media broadcasts and research reports. The ages given for the founders of the NGOs examined in this study are as of 2009-2010.

## **1. Migrant Labour and its background**

Over the past two decades China has been increasingly incorporated into the global economy, and it has come to be seen as the “workshop of the world”. One of the biggest advantages that has helped China achieve this title is its huge pool of cheap labor from rural areas. This pool of domestic migrant labor has been contributing to China's industry development since the middle of the 1980s.

However, despite migrant labor's contribution to the whole economy, the rights of these workers in the cities has not developed. This is because of the delayed reforms of the “hukou” system (household registration system). Social services in China are provided by the local government where a citizen's household is registered. The problem for migrant workers is that they are automatically registered in their place of

birth and generally are never able to change that place. So the massive number of migrant workers from rural China have no access to the social services of the cities they live in no matter how long they reside in those cities. Their informality as citizens has also influenced their rights as workers. Without household registration, migrant workers are unable to access most of the regular or better jobs and must accept informal work. Their rights as workers have not been properly protected.

The circumstances of China's migrant workers makes their situation weaker than that usually found in other countries "Strong capital, weak labor" is much more serious in the case of China's migrant workers. Organizing labour unions are prohibited. There is only Gonghui, the officially permitted workers' organization, to protect workers and coordinate the profit of labor, business, and government. Labour unions in the general sense are absent in China. In this situation, it should be the government that protects and talks for the workers. Ironically however, government, especially local government, does not undertake this function. Chinese local government is known for putting exclusive priority on local economic efficiency, and usually acts in alliance with local businesses that employ migrant workers.

However, by 2004 China was beginning to experience a shortage of migrant labor, or *mingonghuang* (lack of peasant labor), which first appeared in some industrial area of Guangdong province. The Chinese labor market could no longer enjoy a surplus of labor at the lowest possible cost. Meanwhile, the Chinese government finally started to issue instructions to protect migrant worker rights with the Labor Contract Law of 2008 (Wang, Haiyan et.al. 2009). Under this law, migrant workers are included as workers whose rights should be protected.

Along with the labor shortage, was a "new generation migrant workers" who

were born after the 1980s, and who attracted the notice of researchers (Wang 2001). Their lack of patience was said to be one reason for the labor shortage. But more importantly, the new generation has a strong sense of entitlement. The leaders and participants of the 2010 Honda auto-parts plant strikes in Foshan, and most of the suicide protester at Foxconn in Shenzhen, which happened simultaneously with the strikes, all belong to this new generation. In both cases, workers got big wage increases (Butollo and Brink 2012). The socio-economic context of these Labour movements was the serious sense of inequality felt by the workers, and the lack of labour unions and the state functioning as fair coordinators.

## **2. Emergence of Labour NGOs in China**

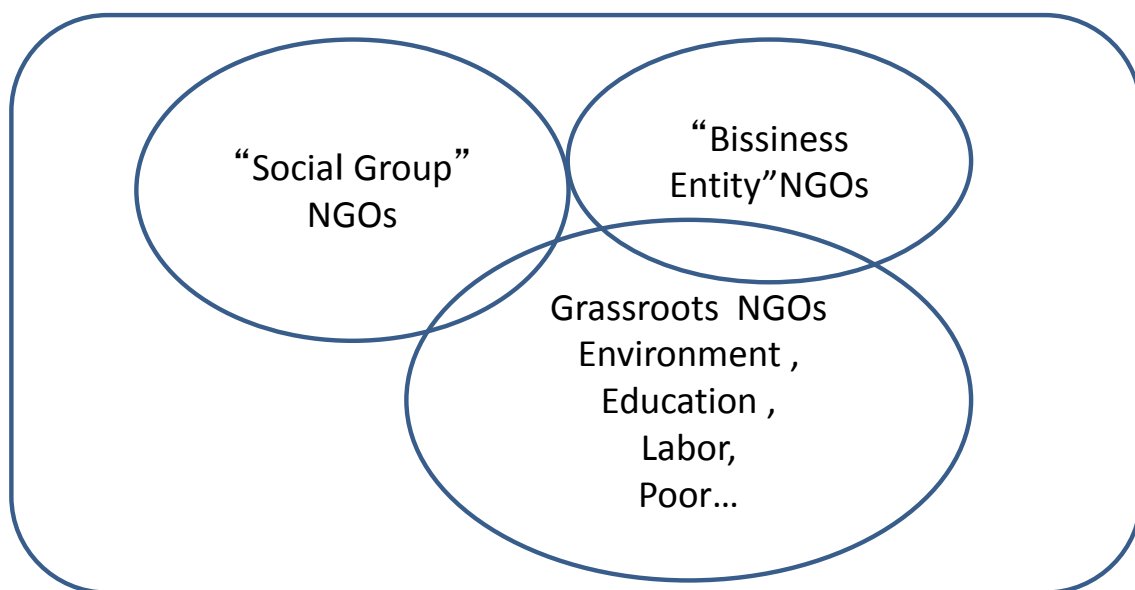
NGOs are a relatively new concept in China. They began appearing in the country in the 1990s. The Chinese have had 社团 (she tuan), meaning “social organizations”, which are associations whose members come together for some common purpose (Otsuka 2001, 272). But the Chinese concept of social organization includes both the more autonomous organizations and those set up by state agencies specifically to carry out social welfare functions (Saich 2000; 126). The latter usually have strong connections with government or related organizations.

NGOs in China as understood internationally can be categorized in four groups: (1) social-group NGOs, (2) business-entity NGOs, (3) grassroots NGOs, and (4) international NGOs (Ostuka 2001, 278). Among those, only social-group NGOs and business-entity NGOs are officially registered as social organizations. The grassroots NGOs and international NGOs have no way of being registered as non-profit

organizations and must seek other forms of registration.

Another typology, developed by the Chinese scholar Zhu (2007), names category (1) and (2) type NGOs as GONGO, which means government registered official NGOs. Grassroots NGOs are a third category. Zhu classifies these NGOs as having no registration or having some other form of corporative registration (not that of being NGOs); and this type of NGO is the most active and substantial in China functioning on the idea of civil society and freedom of action, and working to improve ordinary people's lives.

Figure 1 Conceptual Diagram of China's NGOs



Note: NGO here means an active non-profit organization working for social welfare.

Only a few international NGOs are doing this work in China.

Source: The author.

Figure 1 is a conceptual diagram of the NGOs active in China. There are, in effect, three types, as few international NGOs operate in China. The first two categories



are authorized by China's Ministry of Civil Affairs. According to Chinese media reports,<sup>2</sup> some grassroots NGOs have joint projects with authorized NGOs, and recently there are reports of grassroots NGOs being authorized as "social-group" NGOs and more often as "business-entity" NGOs.

Most Labour NGOs are in the grassroots NGO category operating with a business-entity license obtained from the Ministry of Commerce and Industry. A business license allows grassroots NGOs to operate legally, but they have to pay tax on their profit. Another problem is that for-profit organizations cannot raise funds for volunteer work domestically. So most Labour NGOs today are managed and maintained by collecting foreign contributions.

Han and Zhan (2006) was the first academic report on China's Labour NGOs. It presented the background and social needs underlying their emergence and pointed out that Labour NGOs have produced a new non-governmental and non-profit model for solving migrant worker problems. This type of NGO, especially the ones funded and managed by migrant workers themselves, has proved that these workers have the ability to mobilize and organize themselves to solve their own problems when in the proper environment and with the proper resources.

Most studies of Labour NGOs focus on the institutional environment around these NGOs and their survival strategy (Cheng, et.al. 2010; He 2009, He et.al.2009, Yu and Yang 2011). He et.al. (2009) points out the big social need for Labour NGOs, but since Labour rights themselves are a sensitive issue in China, these NGOs face major difficulties that impede their development. Therefore they seek a moral legitimacy by obtaining the support of intellectuals and trying to win official government support in

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<sup>2</sup> <http://www.aisixiang.com/data/63288.html>, accessed in Feb.18.

order to avoid political trouble.

Cheng et.al. (2010) explains the uncertainty of informal politics surrounding Labour NGOs in China and points out that these NGOs are in a “pre-civil society” stage, but they are becoming increasingly powerful instruments through which people take part in public affairs, develop and articulate personal interests, and collectively form a more active, participatory citizenry. But the stage that NGOs are in reveals the imbalances between the Chinese authorities and civil groups, as well as between the state and civil society.

From this author’s survey, Labour NGOs can be classified into two types according to their founders. One type is NGOs founded by local urban journalists or scholars like “Dagongmei Home” (Migrant Sisters Home) and “Cooperators” located in Beijing. The second type are those founded by migrant workers themselves as exemplified by “Peer-workers Home” and “Little Bird” in Beijing, “Spring Wind Service Center for Labour Disputes ” in Shenzhen and “Panyu Documentation Service Division for Work” in Guangzhou.

NGO activity is also classified into two types. One is cultural support or “enlightenment” of peer-workers. This includes maintaining library rooms for reading and collecting information, and opening classes for PC literacy and hobbies, showing movies, dramas, and performing live music. Another major activity is legal support for migrant workers. There is a big demand for legal knowledge and support to deal with documentation when they apply for worker's compensation or when prosecuting Labour disputes. Many Labour NGOs establish hotlines for migrant workers to listen to their thoughts and needs, and to provide appropriate support.

Besides these two main activities, some NGOs are working to support the

migrants' daily lives, such as running second-hand clothes and goods shops, and daycare centers, kindergartens, primary schools and junior-high schools for migrant worker children.

### **3. Case studies**

#### **(1) Beijing Peer-workers Home —a voice for dignity and identity<sup>3</sup>**

##### **a. The founder and his history**

The founder, Sun Heng, is a 33-year old man from Henan province. He was born in a local township, not a rural area, and his “hukou” (household registration) is not in agriculture. He graduated as a music major from a normal school. He is not the typical Nongmingong (migrant worker), but he often emphasizes that he identifies himself as among the “new workers” (xin-gongren).

“New worker” is Sun’s and his NGO’s creation that they use to replace the standard word, “Nongmingong”, which in Chinese characters combines the words “peasant” and “Labourer”, and conveys the meaning of “peasants working for industrial factories”. In urban China “nongmingong” are looked down on, and are regarded as rough, dirty, not well educated, and disturb public order. This stereotypical view makes migrant workers feel inferiority. Sun Heng and his “Beijing Peer-workers Home” members insist that since they do not engage in agriculture anymore, they should not be called peasants anymore. They now engage in all types of occupations in the cities, so they should be called “workers”. But workers, “gongren” in Chinese, implies the

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<sup>3</sup> All the information in this study about the Beijing Peer-workers Home is available in published media, such as newspapers and academic papers, and on the home’s web site at <http://www.dashengchang.org.cn/>.

protected urban workers of the socialist period, and migrant workers are not that type of traditional worker. That is why they put the word “new” before “worker” and say they are a new type of worker for the new age.

Sun Heng says that the term “migrant workers” (nongmingong) creates discrimination and is exclusionist. It is a label that others have pinned on them. They do not like the word; they feel it is unsuitable, and Sun and his “Beijing Peer-workers Home” NGO refuse to call themselves “migrant workers”. They insist on identifying and calling themselves “new workers”. This is the NGO’s proactive style, of moving ahead without waiting for others or the government, and calling on peer workers to think for themselves and start doing for themselves.

Before coming to Beijing, Sun Heng was a music teacher in his hometown junior high school. But he was bored with his stable life and quit the job to seek his ideal life. He came to Beijing in 1998 with his guitar. There he started his life as a migrant worker. He worked as a water transporter and a sales person among other jobs, and he started to play his guitar and sing his own songs in pedestrian underpasses. One day Sun happened to visit a construction site with a group of volunteer students, and he sang his original songs for the workers. These included “Unit our minds and take our salaries back!” and “Brother Biao”, a song he wrote after hearing about the life of Brother Biao, a construction worker. The workers listen to his songs with both seriousness and enthusiasm. They surrounded him and told him their stories. This experience made Sun aware that this was his role and the way of life he had been seeking—singing for people who really needed his music.

On May Day 2002, Sun Heng organized a three-member band named “Migrant Younger Artists Group”. Along with Sun, who played guitar and sang, were Xu Duo (31

years old from Zhejiang) who played base, and Wang Dezhi, a comic storyteller (“xiangsheng”) from Inner Mongolia. The next year, Jiang Guoliang (32 years old from Liaoning and playing Drums) joined the band. These four make up the group today. All of them are from rural China and came to Beijing seeking their dream.

In the beginning the four worked to make a living and practice music at night after work. They visited farmers’ markets, universities and construction sites playing their music for the workers and migrants in those locations. They released their first album titled “All Workers Are One Family” in 2004, then a CD in 2007 titled “Sing for Workers”. Their third album “Our World, Our Dream” appeared in 2009. They gradually became famous, and now they work for their “Beijing Peer-workers Home” NGO and play their music in Beijing and other cities at free concerts.

Their songs are mainly two kinds. One is singing about the sentiments and feelings of migrants; the other is songs of encouragement for “us” – for all the peer-workers who have migrated to the cities. The words and melodies are simple, but they carry the strong message of their eagerness for dignity in life. Sun says that although his band has no special talent or musical skill, they are welcomed because they sing the songs that really represent thoughts and feelings of migrant workers.

#### b. The NGO’s activities

The band members soon became aware that their live performances for workers was not enough. After every performance, they were surrounded by their audience who talked about their lives and problems. They told of delayed salary payments, of a lack of compensation for accidents. Sun realized that although music could give them brief joy and comfort and an awareness of their rights, it could not solve the problems that peer

workers face.

In 2002, the same year Sun founded his band, he established an NGO he named “Beijing Peer-workers Home Cultural Development Center” (“Beijing Peer-workers Home” for short). He set it up in a village in a northeast suburb of Beijing’s Chaoyang district. The NGO is registered as a shared cooperative under the Commerce and Industry Bureau of the Beijing city government. The initial 30,000 yuan needed for registration was paid by a Hong Kong based international foundation. Thereafter the village became the base for the NGO and its activities, and the band members stopped their daytime jobs and started to work for the NGO.

-The “Association for Migrant Worker Culture and Education” and the library

In 2003 Sun’s NGO established an association for the culture and education of migrant workers. The NGO staff acquired the legal knowledge to support migrants with their everyday problems. For more specialized matters, they have cooperated with the “Legal Support Center for Migrant Workers”, another NGO in Beijing.

The association also opened a library, the “Peer-workers’ Mutual Help Library”. Migrant workers and any local people are welcome to visit and read the books, magazines and newspapers there. They also put in 30 second-hand PCs that a company donated to the NGO which are available to the users of the library.

To promote the NGO’s activities, Sun’s band hands out leaflets during their performances for migrant workers. This informs their audience of the NGO’s work and invites them to participate in its activities and learn how to deal with and solve their problems.

-The second-hand shop

To help fund the NGO's activities, it collects second-hand clothes, furniture, electronics and other goods from the citizenry of Beijing and sells them to the migrant families who come to shop. This helps the migrants reduce their expenses, and offers the NGO the opportunity to connect and communication with migrant workers from other part of Beijing who come to shop.

-The primary school and pre-school

In August 2005 the NGO built and opened a primary school for migrant worker children who cannot attend the local schools because of the household registration regulations. The funds to establish the school came from the band's first CD album, "All Workers Are One Family". The school has 1500 students in 12 classes of primary school from the 1<sup>st</sup> to the 6<sup>th</sup> grade; it also has three preschool (kindergarten) classes. It has 20 salaried teachers and several university students who volunteer to teach and provide support.

-The "Migrant Workers Culture and Art Museum" and the "Theater for New Workers"

On May 1, 2008 the NGO established a museum with exhibits of migrant Labour life. Funding came from an international foundation and from the band's earnings. The museum is open free to the public. It exhibits the history of China's rural-to-urban migration from the standpoint of the migrant worker. It presents this history through photos of migrant worker daily life, through exhibits of the tools of their trades, and through reproductions of their difficult living conditions..

Next to the museum the NGO put up a tent theater that opened in January 1,

2009. The theater stages dramas which have been enthusiastically received, and it is a venue for performances by Sun's band.

c. Notes

The "Beijing Peer-workers Home" NGO is distinctive in its use of artistry to enlighten and empower migrant workers. When Sun set up his band in 2002, they names themselves the "Migrant Younger Artists Group". Thereafter their consciousness of identity increased. Originally they had named their NGO the "Peer-peasants Home" (Nongyou zhijia), but in 2006 they changed this to "Peer-workers Home" (Gongyou zhijia). As Sung explained, at first time they were not sure who they were and just used "Nong" which represent agriculture and rural because they all had come from rural places. But they became aware that the migrant workers, their NGO's target group, identified themselves as workers working in the cities, so they changed the NGO's name to reflect that identity.

Sun Heng's ideal is "Every worker can live with dignity." The "Beijing Peer-workers Home" is expounding that ideal along with the identity of migrants as "new workers". It is the most outstanding NGO in its actions to uplift the status of China's migrant workers and enlighten the whole society.

(2) "A" NGO in Shenzhen

a. The founder and his history

Founder "T" is from a inland province. Like so many migrants after arriving in the city, he began working as a factory worker. He has now become one of the outstanding founders of a Labour NGO.



Founder T drop out of school in his first year of junior high. At age 15 he got his first job. It was construction work for a company in his hometown. He came to Dongguang in Guangdong province in 1993 and began working for a Taiwanese-owned factory. In 1996 he was injured in a job accident. At the time T was also attempting to organize a Labour union which cause him to be fired.

The Taiwanese factory employed 3,000 workers, and according to Zhang, it had good relations with the local government. During his time at the factory, T witnessed two incidents involving the factory guards which caused him think about creating a Labour union in the company. In the first incident, a guard beat two workers to blame one of them of urinating at the factory's main gate. One worker was killed; the other injured, and the guard was arrested. The factory manager gave 50,000 yuan to the dead worker's family and paid 150,000 yuan to the local police to release the guard. The second incident happened on a cold winter morning. It was a Sunday. The workers were tired from working overtime every day. The manager showed a movie, but some of the workers did not come down to watch it. So the guard took a fire hose and sprayed those workers with water. After that the manager punished the workers for not coming down to watch the movie.

Seeing these incidents and thinking about the bad treatment he and his fellow workers received, T reflected on why migrant workers were so looked down upon, and why workers' rights were never protected. It was because the workers were unorganized. T concluded that workers could protect their rights by taking cooperative action through organizing a Labour union. In the 1990s, the government of Dongguang city was encouraging private companies to organize workers under Gonghui, the officially recognized Labour union, so circumstances for organizing workers at T's factory

seemed favor. But the factory disagreed with T and fired him.

Between 1996 and 2001 T tried several jobs and running businesses in his home village and in Shenzhen but failed. In 2002 in Shenzhen he started working for another Taiwanese-owned factory. Unfortunately he had a traffic accident. Although it was during work time, the company gave him no compensation. The cost to have a lawyer prosecute his case in court was around 5000 yuan which was unaffordable for him, so he prosecute the company himself without legal assistance. He lost the suit due to the lack of documentary evidence. T realized that he lost because of his lack of knowledge. Workers like him are weak because they have neither legal knowledge nor economical power. If one has money, he can employ lawyers to protect his rights even without any knowledge. But migrant workers have neither money nor knowledge.

In late 2003 T set up his “A” organization. He began providing legal assistance using the knowledge he learned from prosecuting his own case. He had lost, but he had learned a lot through his experience. In March 2004 he got a business license for his association and opened an office.

Twice in 2006 T’s association collected 10,000 signatures protesting the high cost of labor arbitration. At the time the cost of arbitration was four percent of compensation. Among the categories of labor compensation, the highest was compensation for labour accidents. The amount of this compensation was at least 10,000 to 20,000 yuan, 20,000-30,000 yuan being the average. At the higher grades of government-approved compensation, such as the 7-8 grades, compensation could amount to 70,000-80,000 yuan. However, lawyers were guaranteed a set fee of four percent of the compensation given to the worker, an amount too great for insured migrant workers to pay.

Most work accidents happen to workers just starting new jobs. During the trial period, workers are not covered by labor compensation. Most companies in Dongguang are Taiwanese and Hong Kong owned. When work accidents happen, in the best case they may pay some money (usually for a deposit to the hospital); in most cases they pay nothing. In these cases without labor contracts, arbitration was reasonable, but because the arbitration fee was high, non-contract workers hesitated to take this step. In October 2010 the labor arbitration fee was reduced to 50 yuan.

T and his association collected 10,000 signatures in their signing campaign. But this activity is illegal in China. In the March 20<sup>th</sup> signing campaign, T as the organizer was arrested. In the second campaign in October, the association was searched by five offices of the Shenzhen city government, and the association's property was confiscated. The reason was because they were not an officially registered labour union, therefore such activity was prohibited.

At the time the association had no financial support. It was funding its activities with borrowed money. But after it was searched and its property confiscated, a US foundation contacted T's association and offered funding. This started in April 2007. The foundation's assistance covers 75 % of the association's expenses for legal support to workers. "A" organization has to cover the remaining 25%.

#### b. NGO activities

##### -legal consultation

Legal documentation and consultation is provided to workers free of charge. Legal representation in court is 1000-3000 yuan if the worker has the ability to pay. No fee is charged in cases concerned with child labourers, injured workers, elderly workers over

55 years old, and pregnant women who have been fired.

-legal education

Every month “A” organization has a free seminar on legal issues with specialists invited to speak.

-NGO staff

The organization has a salaried staff of four including T. He and two others are former migrant workers who worked in factories and are now familiar with labor law. One of the two came to the association for assistance after being injured in a work accident. He later joined the association’s staff. The fourth member is a university graduate. According to T, the organization prefers having peer-workers as staff because they share the same ideal with the workers they serve, which is important for the staff’s job.

-legal registration and funding

The association is registered as a business entity and gets funding from a US labour support foundation.

#### c. Notes

T’s association has the activist style of a labour union. T himself was an active union organizer when he worked in the factories, and his association gets involved in collective actions by factory workers. News reports say that T advocates using peaceful methods in labour negotiations, but when strikes break out, he is usually suspected of involvement and is often arrested.

T says that labour NGOs like his that are working in the legal field have difficulty operating because the government always suspects them. But T says that being an organization that is independent of the government, his association can and

will carry on activities that are good for workers, like signature collecting campaigns, even though the government does not welcome such activities.

T says the labour NGO network has to be much more careful in its work than NGOs in fields like education or the environment. The government is suspicious of labour NGOs, so they have to be extra cautious and do their best to avoid involvement in social disorder or suspicion of revolutionary purposes. Therefore, although his association has contacts with other labour NGOs, they seldom cooperate. This implies that the government is pressuring these NGOs and is sensitive to cooperation among them.

### (3) “B” NGO in labour support and empowerment

#### a. The founders and their history

This is a Shenzhen based labour NGO founded in 2003 by three or four migrant workers. Its initial activity was providing legal consultation and disseminating legal information. The primary founder was a worker in a printing factory whose health was affected by the chemicals he had to use while working. He applied for compensation, and he gained his legal knowledge as he went through the application process. Since its beginning the NGO has been a cooperative effort of university students, graduates who majored in social work, and migrant workers.

By the time of this author’s fieldwork, the founding members had all left the NGO. One of them had gone back to his hometown in rural China and started the same kind of labour NGO because many factories had moved inland creating a need for such NGOs.

b. NGO activity

-staff

The NGO has seven salaried staff members. three of whom are university graduates who majored in social work. The other four are former migrant workers. None of the seven has legal training, but all are familiar with and knowledgeable about labour law. Among the former migrant workers, three had applied for compensation and one had suffered delayed salary payments. ~~They accept each fields of legal support.~~ Each staff member has his field of legal knowledge, and they provide each other with legal support. The NGO's labor law specialists are fully familiar with their related fields of law. They do not need to employ nor consult with lawyers.

The office is closed on Tuesdays and open on other days from noon and to 22:30.

-activities

One of the major activities of this NGO is volunteer classes in learning to edit magazines, distributing leaflets, taking photos, playing guitar class, female workers' activities, learning photography and collecting scrap newspapers. Along with these activities, the NGO is trying to understand the workers' feeling and thinking

-legal support

Legal support is another major activity of the NGO. The most serious problem for Pearl River Delta workers is the protection of their rights. Workers believe that in a labor dispute, they can never win in court because the companies and the government are in unity.

The staff of this NGO helps workers with legal documentation and preparation, but lets the workers themselves go to court. This is because the NGO feels that

experiencing the legal process itself is a good way to promote worker empowerment.

In addition to providing legal support, the NGO offers a class to provide workers with legal knowledge conducted by a professor at Sun Yat-sen University.

#### -Funding

The NGO relies on a Hong Kong based foundation for funding. Its office rent, staff salaries and other cost are paid by this foundation.

The NGO is registered as a business entity. But since it has no income, it has not had to pay taxes.

#### c. Notes

“B” NGO is in an industrial area where it has been working for the past 7 years to fulfill the needs of the local industrial workers. But the area is to be converted into a commerce zone, which makes the NGO unsure about the future. The NGO was organized by factory workers for the purpose of helping such workers, and that is where its expertise lies.

As mentioned earlier, labour NGOs operate in two fields; these are legal support and cultural activities. “B” NGO operates in both fields.. For all the labour NGOs, legal support is a highly sensitive activity because it is related to labor rights and networking among the NGOs.

Networking between the NGOs is another sensitive matter. Networking is relatively possible in cultural activities. “B” NGO is communicating with the “Beijing Peer-workers Home” to join the latter’s new year’s festival. This kind of coming together of two NGOs is almost impossible in legal activities. Protecting workers’ rights

is a sensitive matter. At present it is possible to work at protecting workers' personal rights, but the area of collective rights has to be avoided since it puts the survival of the NGO at risk.

#### **4. Conclusion**

This paper has described the emergence and the function of labour NGOs in China. Almost all labour NGOs in China fall under the category of grassroots NGOs; and they have two types of founders: those organized by urban intellectuals and those by migrant workers themselves. Both types of labour NGOs were established to meet the urgent needs of migrant workers, particularly in the area of labor rights protection. Although an area of extremely urgent need, there was no official actor that migrant workers could turn to for support. This led to the emergence of labour NGOs to fulfill that need.

To describe the function of labour NGOs in China, this paper examined their current activities. These fall into two areas. One is providing legal support to migrant workers. The NGOs help workers apply for compensation and prosecute labor disputes, and they work to protect workers' rights in general. Providing migrant workers with legal support is a primary function of all three NGOs examined in this study.

The other area of activity is cultural. The three NGOs in this study maintain libraries for migrant workers to satisfy their need for reading and educational materials, to provide legal information, and as a gathering place for migrant workers. The Beijing Peer-workers Home goes beyond this, performing live music and dramas to encourage and enlighten migrant workers and to present the peer-workers' viewpoint to society in general.



The author argues that these activities function as the NGOs' means of voicing migrant worker grievances and making their protests known to the society at large. The voicing of the NGOs is in two directions. One is aimed at the migrant workers to make them aware of their own rights. The other is at Chinese society as a whole. With these activities and their own existence, these NGOs are advocating the position, ideals and rights of the migrant workers. And by supplying their legal and cultural needs, these NGOs are providing the migrant workers with the means to protest.

The labour NGOs are the only entities in China that provide these functions for migrant workers, and it is only local, Chinese grassroots NGOs that are doing it. International NGOs can only provide support from outside; this is primarily financial support. Thus although their numbers are small and their influence is still limited, the contribution of these grassroots NGOs to bettering conditions for migrant workers is huge. At the same time, however, their efforts to motivate the migrant workers and raise their awareness of their labour rights, has raised the suspicion of the authorities. At present labour NGOs can assist individual workers with their legal and compensation problems, but the government reacts negatively to efforts at promoting workers' collective rights. Likewise the activities of an individual NGO to protect workers is acceptable, but the authorities step in if NGOs try to coordinate their activities. Clearly the authorities do not want a networking of workers nor NGOs.

Nevertheless, the environment is improving for grassroots labour NGOs. Since 2010 some have been allowed to register as non-profit "social-group NGOs" and "business-entity NGOs". These early cases have been NGOs founded by urban intellectual. But more NGOs, including those founded by migrant workers, might be allowed to register in the future.

As set forth in this paper, the contribution of labour NGOs in China to the betterment of migrant workers has been great, which is also to the benefit of the whole society. Thus promoting their further development can be expected to contribute to the growth of China's civil society.

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